

Atty Dkt No. 0243.04
USSN 10/821,055
PATENT

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Technology Center 3700 (703-872-9306) on the following date:

20 Oct 2004
Date

Gary R. Fabrain
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: FORD, R., et al.	Confirmation No.: 9632
Serial No.: 10/821,055	Art Unit: 3736
Filing Date: 8 April 2004	Examiner: Robert Nasser
Title: FORMULATION AND MANIPULATION OF DATABASES OF ANALYTE AND ASSOCIATED VALUES	

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Cygnus, Inc., hereinafter "Assignee", a Delaware corporation, having an address at 400 Penobscot Drive, Redwood City, California 94063, is the owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/821,055, filed 8 April 2004, by virtue of an assignment recorded 7 November 2001 at Reel 012148, Frame 0031, and is also the owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/460,557, filed 12 June 2003, now allowed, by virtue of an assignment recorded 7 November 2001 at Reel 012148, Frame 0031, and is also the owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 09/927,583, filed 10 August 2001, now U.S. Patent No. 6,633,772, by virtue of an assignment recorded 7 November 2001 at Reel 012148, Frame 0031. U.S. Patent Application Serial No. 10/821,055 is a continuation of U.S. Patent Application Serial No. 10/460,557, now allowed, which is a continuation of U.S. Patent Application Serial No. 09/927,583, now U.S. Patent No. 6,633,772.

In accordance with 37 C.F.R. §3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

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The assignee hereby disclaims the terminal part of any patent granted on the herein U.S. Patent Application Serial No. 10/821,055, which would extend beyond the expiration date of the U.S. Patent granted on U.S. Patent Application Serial No. 10/460,557 and U.S. Patent No. 6,633,772, and agrees that any patent granted on the herein U.S. Patent Application Serial No. 10/821,055 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the U.S. Patent granted on U.S. Patent Application Serial No. 10/460,557 and U.S. Patent No. 6,633,772, this agreement to run with any patent granted on the above-identified U.S. Patent Application Serial No. 10/821,055 and to be binding upon the grantee, its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No. 10/821,055 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the U.S. Patent granted on U.S. Patent Application Serial No. 10/460,557 and U.S. Patent No. 6,633,772 in the event that any one of these patents later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Executed at: Cygnus, Inc., 400 Penobscot Drive, Redwood City, CA 94063

By: Barbara G. McClung, Esq.

Title: Senior Vice President, General Counsel, Corporate Secretary

Signature: Barbara G. McClung

Date: 20 October 2004

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No additional fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 03-4058 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Respectfully submitted,

Dated: 20 Oct 2004

By: Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

Cygnus, Inc.
400 Penobscot Drive
Redwood City, CA 94063
Phone (650) 599-2527
Fax (650) 599-3913